

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Adam M. Gilbert and Gary P. Stack

Serial No.: **10/663,533**

Filing Date: **09/16/2003**

Confirmation No.: **3576**

Group Art Unit: **1625**

Examiner: **Taylor V. Oh**

For: **8-AZA-BICYCLO[3.2.1]OCTAN-3-OL DERIVATIVES OF 2,3-DIHYDRO-1,4-BENZODIOXAN AS 5-HT_{1A} ANTAGONISTS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**APPELLANT'S COMMUNICATION IN LIEU OF REPLY BRIEF
PURSUANT TO 37 C.F.R. § 41.41**

Appellant is in receipt of the Examiner's Revised Answer dated May 1, 2007 in connection with the above-identified application. Because the only change effected by the Examiner's Revised Answer is the inclusion of a listing of "Evidence Relied Upon" (whereas such listing was improperly omitted from the Examiner's Revised Answer dated August 3, 2007), no further response is needed. Instead, reference is made to Appellant's Reply Brief dated October 3, 2007, which was timely filed in response to the Examiner's Revised Answer dated August 3, 2007.

Appellant respectfully requests that the present appeal be forwarded to the Board of Patent Appeals and Interferences for decision.

Date: May 19, 2008

/Wendy A. Choi/
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